

Commissioners:
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DIVISION OF LEGAL SERVICES
NOREEN S. DAVIS
DIRECTOR
(850) 413-6199

Public Service Commission

May 15, 1998

Mr. Norwood W. Hope
Turkey Creek
158 Turkey Creek
Alachua, Florida 32615-9513

RE: ✓ Docket No. 921098-WS - Application for certificates to provide water and wastewater service in Alachua County under grandfather rights by Turkey Creek, Inc. & Family Diner, Inc. d/b/a Turkey Creek Utilities.

Docket No. 980287-WS - Initiation of show cause proceedings against Turkey Creek, Inc. & Family Diner, Inc. d/b/a Turkey Creek Utilities for violation of Rule 25-30.120, F.A.C., Regulatory Assessment Fees.

Dear Mr. Hope:

This is in response to your letters dated April 27 and 29, 1997 regarding the referenced dockets. Mr. Jaeger is currently out of the office until May 18, 1998. Therefore, pending Mr. Jaeger's return, please direct correspondence to me regarding your progress in making customer refunds.

Regarding your objection to the Office of Public Counsel's (OPC) intervention in Docket No. 921098-WS, Section 350.0611(1), Florida Statutes, authorizes OPC to appear on behalf of the citizens of Florida in any proceeding or action before the Commission. Therefore, OPC's intervention is a matter of statutory right, and we cannot consider your objection to OPC's intervention. By Order No. PSC-98-0560-PCO-WS, the Commission acknowledged OPC's intervention in this matter.

Finally, I have reviewed your response to show cause Order No. PSC-98-0444-SC-WS, which includes your proposal for payment of Turkey Creek's delinquent, 1993 regulatory assessment fees, penalty and interest. In the past, the Commission has authorized payment plans for regulatory assessment fees, penalty and interest. However, I am unaware of any case where the Commission has considered and approved a proposal for a delayed payment as you suggest. Typically, the Commission requires monthly payments which commence immediately following Commission approval of the payment plan. Therefore, you may wish to reconsider your proposal. Please

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- LIN _____
- OPC _____
- RCH _____
- SEC 1
- WAS _____
- OTH _____

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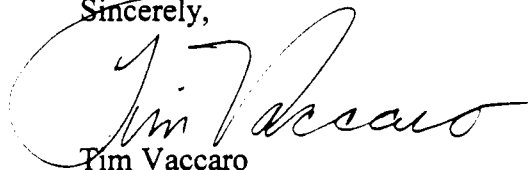
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remember that your proposal was filed subsequent to the required response date set forth in the show cause order. Despite your request for an extension of time, the Commission has the discretion to deny your request and initiate collection proceedings based on the untimely response. If you wish to avoid the possibility of immediate collection efforts, please file a request for a payment plan by May 25, 1998. If I do not receive your request by that date, a subsequent recommendation to initiate collection efforts will be commenced. If you have any questions, please contact me at (850)413-6181.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tim Vaccaro".

Tim Vaccaro
Senior Attorney

TV/dr

cc: Division of Legal Services (Jaeger)
Division of Water and Wastewater (Chase, Xanders, Gilchrist)
Division of Administration (Sewell, Lake)
Office of Public Counsel

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